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pursuant to 36 CFR part 212, subpart C, provided that the following uses are exempted from this section:

- (a) Limited administrative use by the Forest Service;
- (b) Use of any fire, military, emergency, or law enforcement vehicle for emergency purposes;
- (c) Authorized use of any combat or combat support vehicle for national defense purposes;
- (d) Law enforcement response to violations of law, including pursuit;
- (e) Use by over-snow vehicles that is specifically authorized under a written authorization issued under Federal law or regulations; and
- (f) Use of a road or trail that is authorized by a legally documented right-of-way held by a State, county, or other local public road authority.

[70 FR 68291, Nov. 9, 2005]

§ 261.15 Use of vehicles off roads.

It is prohibited to operate any vehicle off National Forest System, State or County roads:

- (a) Without a valid license as required by State law.
- (b) Without an operable braking system.
- (c) From one-half hour after sunset to one-half hour before sunrise unless equipped with working head and tail lights.
- (d) In violation of any applicable noise emission standard established by any Federal or State agency.
- (e) While under the influence of alcohol or other drug;
- (f) Creating excessive or unusual smoke;
- (g) Carelessly, recklessly, or without regard for the safety of any person, or in a manner that endangers, or is likely to endanger, any person or property.
- (h) In a manner which damages or unreasonably disturbs the land, wildlife, or vegetative resources.
- (i) In violation of State law established for vehicles used off roads.

[42 FR 2957, Jan. 14, 1977, as amended at 42 FR 35959, July 13, 1977; 66 FR 3218, Jan. 12, 2001. Redesignated at 70 FR 68291, Nov. 9, 2005]

§ 261.16 Developed recreation sites.

The following are prohibited:

- (a) Occupying any portion of the site for other than recreation purposes.
- (b) Building, attending, maintaining, or using a fire outside of a fire ring provided by the Forest Service for such purpose or outside of a stove, grill or fireplace.
- (c) Cleaning or washing any personal property, fish, animal, or food, or bathing or washing at a hydrant or water faucet not provided for that purpose.
- (d) Discharging or igniting a firecracker, rocket or other firework, or explosive.
- (e) Occupying between 10 p.m. and 6 a.m. a place designated for day use only.
- (f) Failing to remove all camping equipment or personal property when vacating the area or site.
- (g) Placing, maintaining, or using camping equipment except in a place specifically designated or provided for such equipment.
- (h) Without permission, failing to have at least one person occupy a camping area during the first night after camping equipment has been set up.
- (i) Leaving camping equipment unattended for more than 24 hours without permission.
- (j) Bringing in or possessing an animal, other than a service animal, unless it is crated, caged, or upon a leash not longer than six feet, or otherwise under physical restrictive control.
- (k) Bringing in or possessing in a swimming area an animal, other than a service animal.
- (l) Bringing in or possessing a saddle, pack, or draft animal except as authorized by posted instructions.
- (m) Operating or parking a motor vehicle or trailer except in places developed or designated for this purpose.
- (n) Operating a bicycle, motorbike, or motorcycle on a trail unless designated for this use.
- (o) Operating a motorbike, motorcycle, or other motor vehicle for any purpose other than entering or leaving the site.

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(p) Depositing any body waste except into receptacles provided for that purpose.

[42 FR 2957, Jan. 14, 1977, as amended at 46 FR 33520, June 30, 1981; 49 FR 25450, June 21, 1984; 60 FR 45295, Aug. 30, 1995. Redesignated at 70 FR 68291, Nov. 9, 2005; 76 FR 58404, Sept. 21, 2011]

§ 261.17 Recreation fees.

Failure to pay any recreation fee is prohibited. Notwithstanding 18 U.S.C. 3571(e), the fine imposed for the first offense of nonpayment shall not exceed \$100.

[70 FR 70498, Nov. 22, 2005]

§ 261.18 National Forest Wilderness.

The following are prohibited in a National Forest Wilderness:

(a) Possessing or using a motor vehicle, motorboat or motorized equipment except as authorized by Federal Law or regulation.

(b) Possessing or using a hang glider or bicycle.

(c) Landing of aircraft, or dropping or picking up of any material, supplies, or person by means of aircraft, including a helicopter.

[42 FR 2957, Jan. 14, 1977, as amended at 42 FR 35959, July 13, 1977; 50 FR 16231, Apr. 25, 1985. Redesignated at 70 FR 68291, Nov. 9, 2005]

§ 261.19 Boundary Waters Canoe Area Wilderness.

The following are prohibited in the Boundary Waters Canoe Area Wilderness:

(a) Possessing or transporting any motor or other mechanical device capable of propelling a watercraft through water by any means, except by permit or as specifically authorized by Federal law or regulation.

(b) Transporting, using, or mooring amphibious craft of any type or any watercraft designed for or used as floating living quarters.

(c) Using wheels, rollers, or other mechanical devices for the overland transportation of any watercraft, except by

special-use authorization, or as authorized by Federal law or regulation.

[42 FR 2957, Jan. 14, 1977; 42 FR 24739, May 16, 1977, as amended at 49 FR 25450, June 21, 1984; 50 FR 16231, Apr. 25, 1985. Redesignated at 70 FR 68291, Nov. 9, 2005]

§ 261.20 Pacific Crest National Scenic Trail.

It is prohibited to use a motorized vehicle on the Pacific Crest National Scenic Trail without a special-use authorization.

[49 FR 25450, June 21, 1984. Redesignated at 70 FR 68291, Nov. 9, 2005]

§ 261.21 National Forest primitive areas.

The following are prohibited in any area classified as a National Forest Primitive Area on September 3, 1964:

(a) Landing of aircraft or using a motor boat, unless such use had become well established before September 3, 1964.

(b) Possessing or using a motor or motorized equipment, except small battery powered, hand-held devices, such as cameras, shavers, flashlights, and Geiger-counters.

[42 FR 35959, July 13, 1977. Redesignated at 70 FR 68291, Nov. 9, 2005]

§ 261.22 Unauthorized use of “Smokey Bear” and “Woodsy Owl” symbol.

(a) Manufacture, importation, reproduction, or use of “Smokey Bear” except as provided under §§ 271.2, 271.3, or 271.4 is prohibited.

(b) Manufacture, importation, reproduction, or use of “Woodsy Owl” except as provided under §§ 272.2, 272.3, or 272.4 is prohibited.

[42 FR 2957, Jan. 14, 1977; 42 FR 24739, May 16, 1977. Redesignated at 70 FR 68291, Nov. 9, 2005]

§ 261.23 Wild free-roaming horses and burros.

The following are prohibited:

(a) Removing or attempting to remove a wild free-roaming horse or burro from the National Forest System unless authorized by law or regulation.

(b) Causing or allowing the inhumane treatment or harassment of a wild free-roaming horse or burro.